

# TANK NOTES

STATE OF  
NEW MEXICO  
ENVIRONMENT  
DEPARTMENT



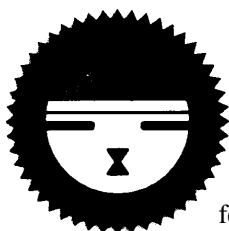
... A Newsletter from  
the Underground  
Storage Tank Bureau

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## Pollution Prevention's "Green Zia" Rewards Early Upgraders



On Thursday, December 18, 1997, Lieutenant Governor Walter Bradley, Environment Secretary Mark Weidler, the New Mexico Underground Storage Tank Bureau and the federal Environmental Protection Agency

recognized those tank owners receiving the Green Zia Environmental Excellence Award at a ceremony in the rotunda of the State Capitol in Santa Fe.

Facilities qualifying for the award are those that already meet the December 1998 upgrade requirements, and at which the owner or operators conduct regular leak detection at these facilities.

Here are some of the highlights of remarks by speakers Lieutenant Governor Bradley, Secretary Weidler, and Program Officer Lynn Dail of the federal Environmental Protection Agency at the ceremony on December 18th:

- Usually we see the stories on the 10 o'clock news about the latest disastrous spill or contamination site and the millions of dollars it will take to clean up the ground water. Today the lead story is prevention.

- Today we are recognizing 278 owners of underground storage tanks who have taken positive steps to prevent pollution by renovating or removing outdated, risky systems and installing new systems that can detect leaks and prevent

spills of gasoline and other fuels. These owners also conduct regular inspections to make sure their tanks are not leaking.

- Prevention is the smart way to manage our businesses while protecting the environment and preserving our valuable ground-water resources.

- The Green Zia is the symbol New Mexico has chosen to identify pollution prevention programs.

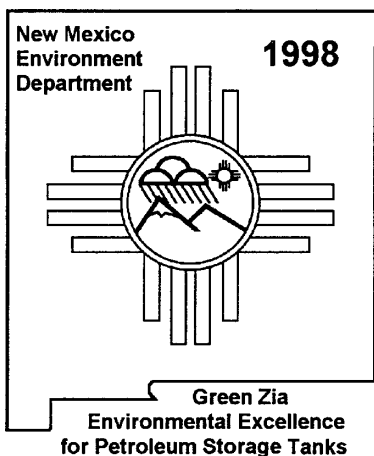
- Only qualifying tank owners will be provided with Green Zia Award stickers to display at their dispensers to inform the public that this is an "environmentally friendly" facility.

- We encourage tank owners to display the bright yellow and green Green Zia stickers on their dispensers and in their advertising.

- We encourage the public to refuel where they see the yellow

and green sticker on the pump and to support these owners and operators who have taken steps to protect our environment.

The New Mexico Petroleum Marketers Association provided refreshments, and the department took photographs of the recipients receiving their awards. If you think you qualify for the Green Zia Award and have not heard from the department, please contact your UST inspector or Manager Ruben Baca.



**LOOK FOR THIS GREEN AND YELLOW  
STICKER AT THE GAS PUMP!**

## TANK NOTES

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This newsletter is for the UST owner/operator population and is provided as a general information guide only. It is not intended to replace, interpret or modify manufacturers' protocols, or the rules, regulations or requirements of local, state or federal government, nor is it intended as legal or official advice. The opinions expressed in articles written by NMED staff and others are those of the authors and do not necessarily reflect those of NMED.

We welcome your comments and suggestions. Send address changes and correspondence to: New Mexico Environment Department, Underground Storage Tank Bureau, Harold Runnels Building, 1190 St. Francis Drive, P.O. Box 26110, Santa Fe, New Mexico 87502.

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## Note From the Chief

*J. David Duran, UST Bureau Chief*

**C**ongratulations to recipients of the Green Zia Awards, which were given out to owners and operators whose facilities already comply with the 1998 upgrade standards. You should have received your pump stickers to advertise your commitment to pollution prevention.

We still have approximately 3,000, or 62 percent, of the tanks in New Mexico which have not been upgraded. Many of the tanks are owned by small operators. With less than 11 months left before the deadline, I am very concerned that many of the owners and operators will not meet the deadline and will be facing enforcement action. Compliance with the 1998 requirements is part of the cost of doing business not only in New Mexico, but anywhere else in the United States. The federally mandated deadline has been in place for almost 10 years and therefore the state must insist on compliance. You can expect the

department to take a strong enforcement posture and be prepared to seek court injunctions to stop further operation of facilities which do not comply.

If you decide to stop selling petroleum products, that action alone is not sufficient to meet the requirements. By December 22, 1998, the tanks must either be removed or closed in place by emptying the tanks and filling them with inert material such as concrete or sand. Closing in place entails verifying that the tanks have not leaked by testing the soil surrounding the tanks.

While the state cannot provide financial assistance for upgrades, members of my staff are prepared to assist you by providing information on what needs to be done, lists of contractors who can do the work and by scheduling staff to observe installations, upgrades and removals. Please contact Ruben Baca at 827-2910 if you need such assistance.



## Editor's Corner

*by Nathan Wade*

**W**elcome to 1998 and the new, leaner version of *Tank Notes*. Our aim is to go shorter while keeping and expanding the content that you asked for: discussion of regulations, policies, enforcement, and doings in the Bureau that affect you directly.

Many of you were affected directly by the Green Zia awards for environmental excellence. The UST Bureau wants to thank all of the Green Zia recipients, especially those who joined us in the Round House to receive your certificate in person. Green Zia is a new way of thinking in the Environment Department. Traditionally, we have focused on compliance and enforcement. Green Zia broadens our thinking, allowing us to give special thanks to those people who are doing a good job. UST owners were the first group chosen for Green Zia recognition, but the program will expand throughout the department.

A letter describing the awards, along with a list of local Green Zia stations, was sent to all newspaper editors in New Mexico. We hope that your local newspaper reprinted our letter or did a story to commend you—you deserve it. On behalf of the NMED, I extend my best wishes to all tank owners and their families and staff for a safe and prosperous new year.

## \$85 Million Appropriated for LUST Trust Fund

**O**n October 27, President Clinton signed the Environmental Protection Agency's fiscal 1998 appropriations bill, which included \$65 million (to remain available until expended) of federal LUST Trust funding. The fund may be used for necessary expenses associated with carrying out leaking underground storage tank cleanup activities as authorized by the Supervened Amendments and Reauthorization Act of 1986. Congress directed that EPA distribute at least 85 percent of this funding to the states and use no more than \$7.5 million for administrative expenses. Other portions of this funding will be used by EPA to provide technical assistance to states, to assist with the implementation of the LUST program on Indian lands, and to support EPA Office of Research and Development (ORD) research efforts (primarily MTBE research).

*—Adapted from LUSTline,  
Bulletin 27, November 1997*



## Corrective Action Fund Update

*Jim Najima, Manager, Financial Management Program, USTB*

January 30, 1998

Loading fee deposit for January	\$ 2.5 million
Unobligated cash balance	\$ 2.2 million
Work plan liabilities (work approved but not yet claimed)	\$ 8.4 million
Claims/invoices received in January	\$ 344,000
Work plans approved in January	\$ 362,000

## Bureau prepares for enforcement of Dec deadline

*by Ruben Baca, Manager, Prevention/Inspection Section*

**T**he UST Bureau is preparing registered letters addressed to all those tank owners and operators who are not yet in compliance with the December 1998 standards. The letter will remind owners and operators that they must take some approved action if they plan to operate after December 22, 1998. The letter will be accompanied by a questionnaire asking which of three options the tank owner or operator is planning for each facility: upgrade, removal and replacement, or shut down and removal.

The inspectors are always available to consult with tank owners on their options for remaining in compliance with state laws.

- **Announcements:** meetings, events, and other news. Green Zia award winners.  
See <http://www.nmenv.state.nm.us/ust/announce.html>
- **Requests for Proposals:** Descriptions of and links to RFPs issued by NMED or by the State Purchasing Office.  
See <http://www.nmenv.state.nm.us/ust/rfp.html>
- **Competitive Bidding Guidelines:** Criteria, scoresheets and process description for UST bid selection.  
See <http://www.nmenv.state.nm.us/ust/cafbid.html>
- **Fall 1997 Tank Notes:** Postscript format.  
See <http://www.nmenv.state.nm.us/ust/tanknote.html>
- **State Lead Site Contract Invoice Queue:** January 1998.  
See <http://www.nmenv.state.nm.us/ust/stleadq.html>
- **November 1997 UST Committee Meeting Minutes:**  
See <http://www.nmenv.state.nm.us/ust/uc111897.html>

## What's new at the UST Bureau Website

*Provided by Jenny Smith, Database Specialist, USTB*



**TUNE INTO THE WEBSITE**  
[www.nmenv.state.nm.us/ust/ustbtop.html](http://www.nmenv.state.nm.us/ust/ustbtop.html)

## EPA guidance on alternative integrity assessment methods for steel tanks still holds in New Mexico

by Anna Richards, modified from LUSTline, Bulletin 27, November 1997

**I**n order to maximize the number of USTs that will be upgraded in an effective, safe and affordable way, EPA's Office of Underground Storage Tanks (OUST) issued a guidance document on July 25, 1997, that is meant to strike a balance among several competing interests. On the one hand, EPA is recommending that implementing agencies adopt a consistent policy on this issue; on the other hand, New Mexico retains the flexibility to follow its own policy if it chooses.

The guidance leaves the door open for the use of alternatives to human entry such as corrosion modeling and video camera. The guidance provides industry with two options that may be used to meet minimum recommended standards and with sufficient time to accomplish the necessary work. Finally, the guidance allows methods that are both affordable and protective, so that owners can meet the December 1998 deadlines and avoid future leaks.

### Option A - Standard Codes of Practice

Although ASTM ES 40, an emergency standard code for integrity assessments, has officially expired, New Mexico still allows its use. A draft replacement code is currently

in the ASTM balloting process under Committee G-01. Hopefully, it will be approved in the next few months.

### Option B - Evaluation and Certification

No alternative integrity assessment methods have undergone third-party evaluation to date. However, the same process as is used for UST leak detection systems applies. An *EPA Quality Assurance Project Plan* that was prepared for a research effort provides a viable test protocol. Protocols that are more specific can be written by interested parties. The process will be carried out by the private sector. OUST can provide information on how evaluators can qualify. Interested parties can contact OUST via a "hot link" on the UST Bureau's website.

### What about using leak detection alone as an integrity assessment?

Although New Mexico recognizes the important role leak detection plays in preventing serious releases into the environment, New Mexico does not allow leak detection alone to assess the integrity of USTs that are 10 years old or older.

THE END IS NEAR.  
COUNTING DOWN  
TO DECEMBER 98



MARCH 22 - APR 21,  
1998

## Spring Cleaning? Check Your Piping for Mold

by John Cochran, Inspector,  
Prevention/Inspection

**I**f you installed Total Containment "Enviroflex" flexible piping at your facility you may want to have the primary piping inspected for the presence of mold. Certain types of mold can attack this piping and if not caught could cause a release. Plastic piping is made of hydrocarbons, after all, so we ought not be too surprised that it could be a food source for some life form.

The primary piping in question, PP 1501, is yellow and was installed before 1995. If you have this type of piping contact your certified tank installer or Total Containment to discuss replacing your piping with the new PP1503. The secondary piping does not need to be replaced.

## Leak Detection after 1998

**T**here has been some confusion and misinformation concerning what type of leak detection is acceptable on underground storage tanks after the December 1998 upgrading deadline.

The only change in the type of leak detection allowed after December 1998 is in the use of inventory control or manual tank gauging with annual tank tightness testing.

Methods that still meet requirements include automatic tank gauging, vapor monitoring, groundwater monitoring, statistical inventory control (SIR) and interstitial monitoring. Also, manual tank gauging can still be used on tanks less than 1,000 gallons.

Currently, tank owners may use inventory control along with annual tank tightness testing until December 1998. After that date, inventory control with tank tightness testing can only be used if the entire tank system has been upgraded, including piping and spill/overflow protection.

For those tank systems that have been completely upgraded, inventory control and tank testing every five years can be used for leak detection until December 22, 1998, or ten years after the tank itself was upgraded, whichever is later. After that time, the owner must use one of the other approved leak detection methods.

Example 1: Owners upgrade their entire UST system in 1995. They can use inventory control and perform a tank tightness test every five years until the year 2005.

Example 2. An owner replaces piping and adds spill and overflow protection in 1992. In 1995 the tanks are lined. Because the tank was upgraded in 1995, this owner can use inventory control and perform a tank tightness test every five years until the year 2005.

Example 3. An owner lines a tank in 1992, but does not upgrade the other components of the UST system until 1995. This owner can use inventory control and perform a tank tightness test every five years only until the 2002, ten years after the tank itself was upgraded.

Example 4. An owner installs a new fiberglass tank, a steel tank with cathodic protection, or lines a tank in 1986. In 1995, the owner installs spill and overflow protection and upgrades the rest of the tank system. The owner can use inventory control and tank tightness testing every five years until December 22, 1998. This date is later than ten years from the date the tank was installed or lined.

—Reprinted from Tanks Update, August 1997, Iowa Department of Natural Resources, Underground Storage Tank Section

### Leak o' the Week

*Report releases to the following staff during working hours. For emergencies during evenings and weekends, call the NMED emergency number, 827-9329.*

<i>Feb 23 - Feb 27</i>	<i>Steve Jeller</i>	<i>841-9461</i>
<i>Mar 02 - Mar 06</i>	<i>Tom Leck</i>	<i>841-9479</i>
<i>Mar 09 - Mar 13</i>	<i>Brian Salem</i>	<i>827-2916</i>
<i>Mar 16 - Mar 20</i>	<i>Jane Cramer</i>	<i>841-9477</i>
<i>Mar 23 - Mar 27</i>	<i>Kalvin Martin</i>	<i>841-9186</i>
<i>Mar 30 - Apr 03</i>	<i>David Nye</i>	<i>841-9478</i>
<i>Apr 6 - Apr 10</i>	<i>Christian Carlsen</i>	<i>827-2914</i>
<i>Apr 13 - Apr 17</i>	<i>Lorena Hoerger</i>	<i>827-0110</i>
<i>Apr 20 - Apr 24</i>	<i>Norman Pricer</i>	<i>841-9189</i>
<i>Apr 27 - May 1</i>	<i>Steve Jeller</i>	<i>841-9461</i>
<i>May 4 - May 8</i>	<i>Tom Leck</i>	<i>841-9479</i>



## —Getting to Know UST—

## Bureau's new fund administrator aiming for win-win

by Kathy Grassel, Institute of Public Law

Nevada's loss is New Mexico's gain as Jim Najima joins the Underground Storage Tank Bureau as its new fund administrator. "I'm the bean counter now," he says. He'd been working in the Nevada underground storage tank office as branch supervisor, a bureau chief equivalent, when his wife was accepted to do her medical residency at the University of New Mexico. He considered leading a life of leisure while in the Land of Enchantment, but it was not in the cards. Jim is one of the well-known "old timers" in the UST world and New Mexico is fortunate that he decided to look for a job instead. He applied for the financial manager position and was selected in October 1997.

Jim is bringing broad knowledge and years of experience to the job. Since graduating from California State University at Sacramento in the '70s with a degree in environmental planning, he's been employed in various environmental arenas requiring diverse knowledge and ability to get the job done. He has even designed state parks! By the late '80s, he was being tapped to develop the UST program for Nevada. To hit the ground running and to avoid reinventing the UST wheel in developing the

program, he went to surrounding states with existing UST programs and "plagiarized" those parts that would work for Nevada. In that vein, he sees an easy demographic

transition from Nevada to New Mexico. "Both states have a few metropolitan centers and large rural areas," he says.

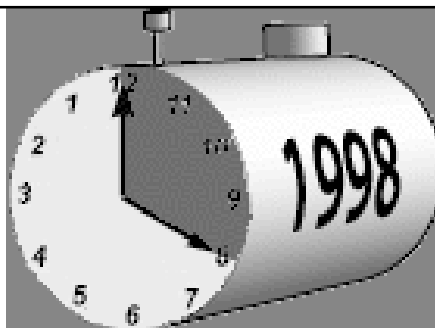
As important as bean-counting, according to Jim, is the regulated community's understanding of how the beans are counted. "We're all in the same boat," says Jim. "It's important that we all truly understand each other." Jim says that for an owner to experience a leak, to report it and then be hit with all the reimbursement paperwork can be a scary thing. If the Bureau works with that person and is very clear about allowable expenses, necessary forms and follow through, then the two can work together in an atmosphere of trust. To bolster this relationship, Jim is devising a flow chart illustrating how his office "does things," so that an owner with a claim knows exactly what the regulators are looking for.

Besides work, which he says has always been fun, Jim likes to hit the snow or the water on skis. He's seen little of either of these H<sub>2</sub>O substances so far this year. The new job, together with the demands of an almost two-year-old son, has put his outdoor passions on hold for the moment. He met the woman who would become his wife on the slopes where they were both skiing instructors, so look for them both back on skis soon, maybe with a little kid between them.

The major challenge of a UST fund administrator? "As in the Nevada bureau and most other places I've been, there's a lot to do and not a lot to do it with," says Jim Najima. Judging from this new fund administrator's past experience and present enthusiasm, he'll rise to the occasion.



APR 22 - MAY21,  
1998



THE END IS  
NEAR.  
COUNTING DOWN  
TO DECEMBER  
98



UH OH, LARRY, IT S THE INSPECTORS.  
ARE WE IN COMPLIANCE YET?

THE END IS NEAR  
DECEMBER 22, 1998

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